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10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SALINAS DIVISION

14 UNITED STATES OF AMERICA, ) Criminal No.: CR-08-00257 PVT  
15 Plaintiff, )  
16 vs. ) STIPULATION AND [PROPOSED]  
17 Defendant. ) ORDER EXCLUDING TIME  
18 \_\_\_\_\_)

19 On June 2, 2008, the parties in this case appeared before the Court for a status hearing. The  
20 parties jointly requested that the case be continued from June 2, 2008, until August 4, 2008 at  
21 9:30 a.m., in order to allow time for defendant's counsel to prepare for the case. In addition, the  
22 parties requested an exclusion of time under the Speedy Trial Act, from June 2, 2008 to August  
23 4, 2008 at 9:30 a.m. The parties agree and stipulate that an exclusion of time is appropriate  
24 based on the defendant's need for effective preparation of counsel.

1 SO STIPULATED:

2 JOSEPH P. RUSSONIELLO  
United States Attorney

3

4 DATED: 5 June 2008

5 /S/  
ROBERT N. MICHAELS  
Special Assistant United States Attorney

6

7 DATED:

8 /S/  
NICK HUMY  
Counsel for SANTILLAN

9

10 ORDER

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
12 under the Speedy Trial Act from June 2, 2008 to August 4, 2008. The Court finds, based on the  
13 aforementioned reasons, that the ends of justice are served by granting the requested continuance  
14 and outweigh the best interest of the public and the defendant in a speedy trial. The failure to  
15 grant the requested continuance would deny defense counsel reasonable time necessary for  
16 effective preparation, taking into account the exercise of due diligence, and would result in a  
17 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made  
18 under 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20

21 DATED:\_\_\_\_\_

22 RICHARD SEEBORG  
United States Magistrate Judge